

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROBERT A. STONEROCK,

Defendant.

:

:

Case No. 3:02cr005 (1)

:

JUDGE WALTER HERBERT RICE

:

AMENDED ENTRY OF JUDGMENT AFTER REMAND FROM SIXTH
CIRCUIT COURT OF APPEALS; NO FURTHER JUDGMENT ENTRY TO
FOLLOW; TERMINATION ENTRY

On May 15, 2007, this Court remanded the Defendant to the custody of the Attorney General of the United States, the Bureau of Prisons, for a period of 121 months. That sentence was journalized in a Judgment Entry filed on May 25, 2007 (Doc. #154).

On January 27, 2010, the Sixth Circuit Court of Appeals affirmed in part, and remanded in part for the specific purpose of having this Court determine whether the two-point weapon's enhancement under U.S.S.G. § 2D1 was contrary to the plea agreement.

Pursuant to the record made in open Court on February 14, 2012, as well as upon prior hearings held September 6 and October 4, 2011, this Court, having addressed the remand by not computing the two-level weapon's enhancement in

calculating the gross offense level under the now advisory United States Sentencing Guidelines, remands the Defendant to the custody of the Attorney General of the United States, the Bureau of Prisons, for a period of 120 months, requiring him to pay on an immediate basis the \$100.00 Special Assessment to the Victim's Compensation Fund and a fine of \$15,000.00. The 120-month sentence is to be followed by a five year period of supervised release, subject to the identical conditions imposed at the time this Court initially sentenced the Defendant on May 15, 2007.

This Court recommends to the Bureau of Prisons that the Defendant be given credit for all allowable presentence jail time, to date, that he be made eligible for and enrolled in the Bureau of Prisons 500-hour drug program and that he be designated, once again, to the federal prison in Lexington, Kentucky, where he resided prior to his being returned to the Dayton, Ohio, area for proceedings on the Remand from the Sixth Circuit Court of Appeals.

There will be no further Judgment Entry filed in this case memorializing this Court's amended sentence and judgment.

The captioned cause is hereby ordered terminated upon the docket records of the United States District Court for the Southern District of Ohio, Western Division, at Dayton.

February 22, 2012



WALTER HERBERT RICE
UNITED STATES DISTRICT JUDGE

Copies to:

Counsel of record